

MINUTES OF MEETING
NORTH SPRINGS IMPROVEMENT DISTRICT

The regular meeting of the Board of Supervisors of the North Springs Improvement District was held Wednesday, July 9, 2014 at 5:07 p.m. at the Magnolia Shoppes, 9554 Westview Drive, Coral Springs, Florida.

Present and constituting a quorum were:

David Gray	President
Vincent Morretti	Secretary
Mark Capwell	Assistant Secretary

Also present were:

Doug Hyche	District Manager
Dennis Lyles	District Counsel
Rod Colon	Director of Operations
Jane Early	District Engineer
Brenda Richard	District Clerk
Sandra Colon	NSID
Nick Schooley	Drainage Supervisor
Donna Holiday	GMS-South Florida, LLC
David Graff	Heron Bay

FIRST ORDER OF BUSINESS

Roll Call

Mr. Hyche called the meeting to order at 5:07 p.m.

SECOND ORDER OF BUSINESS

Approval of the Minutes of the June 4, 2014 Meeting

Mr. Hyche stated the next item is approval of the minutes of the June 4, 2014 meeting.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the minutes of the June 4, 2014 meeting were approved as presented.
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THIRD ORDER OF BUSINESS

Supervisors Requests and Audience Comments

There not being any, the next item followed.

FOURTH ORDER OF BUSINESS**Approval of Resolution 2014-23 Amending Resolution 2014-22 Resetting the Public Hearing to Adopt the General Funds and Debt Service Funds Budgets for Fiscal Year 2015**

Mr. Hyche stated item four is approval of Resolution 2014-23 amending Resolution 2014-22 resetting the public hearing to adopt the general funds and debt service funds budgets for fiscal year 2015. We will set the public hearing for September 12, 2014.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor Resolution 2014-03 rescheduling the public hearing for September 12, 2014 at 5:00 p.m. in the district office was approved.

FIFTH ORDER OF BUSINESS**Approval of Resolution 2014-24 Approving the Proposed Water and Sewer Budget and Setting the Public Hearing**

Mr. Hyche stated the next item is approval of Resolution 2014-24 approving the proposed water and sewer budget and setting the public hearing.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor Resolution 2014-24 approving the proposed water and sewer budget and setting the public hearing for September 12, 2014 at 5:00 p.m. in the district office was approved.

SIXTH ORDER OF BUSINESS**Staff Reports****A. Manager****Consideration of Proposals for Landscape Architectural Design of Perimeter Buffer Surrounding the Water Plant**

This item withdrawn from the agenda.

Consideration of Proposals for Tennis Court Lighting Upgrade 1 through 6 for Heron Bay Commons

Mr. Hyche stated next is consideration of proposals for tennis court lighting upgrade 1 through 6 for Heron Bay Commons.

Mr. Colon stated included in your agenda package was a letter from the tennis committee in Heron Bay requesting that the lighting be improved. We received three quotes to upgrade the lighting so that there is adequate lighting on the tennis courts.

Mr. Graff stated we have a tremendous amount of interest and people are playing tennis every night. We get a lot of compliments on the condition of our courts and a lot of complaints about the lights. We feel the lights are at the end of their life cycle and need to be replaced.

Mr. Colon stated we recommend Ceebee Electrical Services in the amount of their low proposal of \$98,500 and the funding will come from the Heron Bay Commons repair and replacement reserves.

On MOTION by Mr. Gray seconded by Mr. Capwell with all in favor the proposal from Ceebee Electrical Services, Inc. for the tennis court lighting upgrade in the amount of \$98,500 was approved.

Consideration of Quote for Booster Pump Chemical Feed System Programming in the Amount of \$25,100

Mr. Hyche stated the next item is consideration of quote for booster pump station chemical feed system programming in the amount of \$25,100.

Mr. Colon stated a few months ago you approved a capital project for the booster pump station to replace the vacuum system with a pump feed system and this is to hire ADS Engineering to do the reprogramming for the SCADA system so that we can tie those pumps into our existing SCADA system at the plant.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the proposal from ADS Engineering, PLLC in the amount of \$25,100 for programming the booster pump chemical feed system was approved.

Discussion of Capacity Reservation Agreement with WCI

This item withdrawn from the agenda.

Consideration of Proposal for Reverse Osmosis Building Automation

Mr. Hyche stated the next item is consideration of proposal for reverse osmosis building automation.

Mr. Colon stated this is an automation package by ADS Engineering that also provides security cameras and other electrical capabilities for the new reverse osmosis plant that we didn't have in the original bid package.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the proposal from ADS Engineering for RO office building automation in the amount of \$187,388 was approved.

Approval of Annual Meeting Schedule for Fiscal Year 2015

Mr. Hyche stated the next item is approval of the annual meeting schedule for fiscal year 2015.

On MOTION by Mr. Gray seconded by Mr. Morretti with all in favor the meeting notice indicating that the board will meet on the first Wednesday of the month at 5:00 p.m. in the district office was approved.

B. Attorney

Mr. Lyles stated our case against Broward County is now set for trial late this year. The trial court because they have set the case for trial has ordered that we participate in another mediation. You may recall we had that at the beginning of the process before we could file suit now we are getting closer to trial and the conclusion of the discovery process so part of what is routine is that we are being ordered to go to mediation again. That is tentatively scheduled for August 27th. Doug has indicated that his schedule allows him to be there as a representative of the board. They require that someone with authority to settle on behalf of the district be present at the mediation. I have seen cases where entire boards are forced to show up. You have previously passed a resolution in connection with the earlier mediation where you indicated that the district manager can speak for the district in terms of negotiation and settlement and I'm assuming unless you tell me otherwise today that you feel that authority still exists for Doug as district manager to appear on behalf of the district and he has power to agree to a settlement at the mediation if one can be reached. It is very doubtful that we will come to terms with the

county on the 27th of August; the parties are very far apart on every relevant issue. For purposes of form our special counsel has to be able to represent to the court and the mediator that he has with him someone with authority to negotiate and approve a settlement. Does that continue to be the position of the board that Doug Hyche as district manager has that authority?

It was the consensus of the board that Mr. Hyche as district manager has the authority to negotiate and approve a settlement with the county.

Mr. Gray stated I will also be able to attend that mediation but Mr. Hyche still has that authority.

Mr. Capwell asked does it have to be noticed if more than one board member attends?

Mr. Lyles responded yes we would have to do a notice that two or more board members may be present at this mediation and the idea of mediation is essentially that certain parts of it are confidential and the other side is not allowed to be in the room. The idea of mediation being combined with a meeting of a public body it is not normally done. In some instances where you have an entity like Broward County or a large city, the city manager or city attorney may be there to negotiate and come to a proposed settlement with the mediator subject to ratification by the elected body at a regularly scheduled meeting. I don't think we need to do that. I think the manager understands what the issues are and what your position is but that is an option if you prefer to do it that way. We would represent to the mediator that all we can do is appear and negotiate and come up with what we believe is a fair settlement that can be recommended by management but the final decision will be at a board meeting. I don't think we are such a large complex organization that we need to do that especially if the president and manager are both there.

Mr. Gray asked do you think Broward County will be doing that?

Mr. Lyles responded I think they very well might.

Mr. Capwell asked is there a motion for summary judgment hearing too?

Mr. Lyles responded the county has filed a motion for summary judgment that they provided us with a copy of but it is not set for hearing at this time and ultimately there will be cross motions heard at the same time.

C. Engineer

Work Authorization No. 201 Amendment No. 2 Reverse Osmosis Plant Construction Management and Services During Construction for a Net Increase of \$299,000

Mr. Colon stated we took time away from Lanzo Construction because they couldn't work on the weekends and that has extended the project and other than giving Lanzo more time we need to also extend the time of CH2M Hill for services during construction. It is a large number but we feel it is a fair price given the amount of additional work they are doing.

On MOTION by Mr. Gray seconded by Mr. Capwell with all in favor amendment no. 2 to work authorization no. 201 in the amount of \$299,999 was approved.

Project Status Report

A copy of the project status report was included in the agenda package.

SEVENTH ORDER OF BUSINESS**Approval of Financials and Check Registers**

On MOTION by Mr. Gray seconded by Mr. Capwell with all in favor the financials and check registers were approved.

On MOTION by Mr. Capwell seconded by Mr. Capwell with all in favor the meeting adjourned at 5:22 p.m.



Vincent Morretti
Secretary

David Gray
President